IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 19905 of 2007(T)

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PETITIONER:

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SYAMALA @ VAVACHI, PULLAMPLAVIL HOUSE,
KANDALOOR VILLAGE, PUTHIYAVILA MURI,
KAYAMKULAM, ALLEPPEY DIST.

BY SYAMALA(PARTY IN PERSON)

RESPONDENTS:

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1. THE ASST.EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
KAYAMKULAM.

2. THE ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA.

BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B
ADV. SMT.PUSHPALATHA M.K., GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**C.N.RAMACHANDRAN NAIR, J.**

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**WP(C) No. 19905 of 2007**

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**Dated, this the 8th day of August, 2007**

**J U D G M E N T**

Heard petitioner in person and the learned Standing Counsel for KSEB. Petitioner is challenging Ext.P4 order of the ADM approving installation of transformer in her property. The petitioner herself submitted in Court that she wants to construct a shop room on the road side and installation of transformer in her property will block the project. This Court directed Executive Engineer, KSEB to inspect the site and find out whether the transformer can be erected at any of the different alternate places suggested by the petitioner. Learned Standing Counsel for KSEB has now produced a sketch prepared by the Executive Engineer after inspection at the location along with the petitioner. The Asst. Executive Engineer also personally appeared in Court. It is now agreed that the transformer can be installed outside petitioner's property i.e. on the road side. It is submitted that other locations suggested by the petitioner are not suitable for installation of transformer because there is no sufficient space on road side of the location to erect the transformer. Above all, the transformer being installed is under the

existing 11 KV line, which is passing over petitioner's property. Therefore, petitioner's contention in Court that the transformer should not be erected on the road side, is unacceptable. This writ petition is, accordingly, disposed of directing KSEB to install the transformer outside petitioner's property, by using minimum space required and after taking sufficient safety measures, so that petitioner can construct a shop room in her property.

**(C.N.RAMACHANDRAN NAIR, JUDGE)**

jg